| - 1 |   |  |  |
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| 10  | Attorneys for Defendant   |  |  |
| 11  | RAMEŠH "SUNNY" BALWANI  |  |  |
| 12  |   |  |  |
| 13  | UNITED STATES DISTRICT COURT  NORTHERN DISTRICT OF CALIFORNIA  SAN JOSE DIVISION  |  |  |
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| 17  | UNITED STATES OF AMERICA,   | Case No. CR-18-00258-EJD-SVK                                       |  |
| 18  | Plaintiff,  | DEFENDANT RAMESH BALWANI'S<br>JOINDER IN REPLY IN SUPPORT OF       |  |
| 19  | v.  | MOTION TO DISMISS SUPERSEDING<br>INDICTMENT IN PART FOR FAILURE    |  |
| 20  | ELIZABETH HOLMES and RAMESH   | TO ALLEGE FALSITY AND MOTION TO STRIKE                             |  |
| 21  | "SUNNY" BALWANI,  Defendants.   |  |  |
| 22  | Defendants.   | Date: February 10, 2020<br>Time: 10:00 a.m.<br>CTRM.: 4, 5th Floor |  |
| 23  |   | ,  |  |
| 24  |   | Hon. Edward J. Davila  |  |
| 25  | Defendant Ramesh Balwani joins in the Reply in Support of Motion to Dismiss  Superseding Indictment In Part for Failure to Allege Falsity and Motion to Strike filed by  Defendant Elizabeth Holmes (Dkt. No. 297). |  |  |
|     |   |  |  |
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| 27  |   |  |  |
| 28  |   | Defendant's Joinder in Repl  |  |

IN SUPPORT OF MOTION DISMISS SUPERSEDING INDICTMENT IN PART FOR FAILURE TO ALLEGE FALSITY CASE NO. CR-18-00258-EJD-SVK

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| 1  |                         |  |
|--|-------------------------|--|
| 2  | DATED: January 27, 2020 | Respectfully submitted,                                      |
| 3  | 27, 2020                | ORRICK HERRINGTON & SUTCLIFFE LLP                            |
| 4  |                         | ORRICK HERRINGTON & SOTCERTE EEL                             |
| 5  |                         | By: /s/ Jeffrey B. Coopersmith  Jeffrey B. Coopersmith       |
| 6  |                         |  |
| 7  |                         | Attorney for Defendant<br>RAMESH BALWANI                     |
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| 28                                       |                         | DEFENDANT'S JOINDER IN REPLY IN SUPPORT OF MOTION TO DISMISS |

DEFENDANT'S JOINDER IN REPLY IN SUPPORT OF MOTION TO DISMISS SUPERSEDING INDICTMENT IN PART FOR FAILURE TO ALLEGE FALSITY CASE NO. CR-18-00258-EJD-SVK